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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

ANIAC TRADITIONAL COUNCIL,

Plaintiff,

v.

STATE OF ALASKA DEPARTMENT OF
TRANSPORTATION AND PUBLIC
FACILITIES, *et al.*,

Defendants.

CIVIL ACTION NO: 3:24-cv-0139-SLG

JOINT MOTION TO STAY CASE

Plaintiff Aniak Traditional Council, State Defendants State of Alaska Department of Transportation and Public Facilities and Commissioner Ryan Anderson, in his official capacity, and Federal Defendants the United States of America and the Administrator of the Federal Aviation Administration (“the Parties”), jointly move this Court to stay the case. Good cause exists to stay proceedings in this case.

Plaintiff served the United States Attorney’s Office with a copy of the Complaint on August 22, 2024. Federal Defendants previously requested and were granted extensions of time

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on their Answer or other response to Plaintiff's Complaint. ECF No. 12–15. Accordingly, under Rule 12(a)(2) of the Federal Rules of Civil Procedure, the United States' response to the Complaint is due January 31, 2025.

Plaintiff served the State of Alaska Attorney General's Office with a copy of the Complaint on July 8, 2024. Plaintiff and the State Defendants agreed that the State's response to the Complaint could be filed on the date that the Federal Defendants' response to the Complaint came due, which is currently January 31, 2025. ECF No. 12–15. The State Defendants, by and through counsel, make a limited appearance for this motion to stay the case. The State of Alaska and the State Defendants preserve their rights under the Eleventh Amendment of the United States Constitution.

Plaintiff and Federal Defendants have been engaging in discussions to determine if there is a basis to resolve Plaintiff's claims outside the litigation. They wish to continue those efforts in the hopes of avoiding further litigation in this Court. Proceeding with the deadlines in this case while those efforts are ongoing could result in a waste of the parties' and the Court's resources and could be detrimental to the efforts to resolve Plaintiff's claims.

Accordingly, the Parties request that the Court stay the case to facilitate settlement. They further propose that they submit a Joint Status Report in sixty days informing the Court of the progress of discussions and advising the Court as to whether the stay should be continued.

Pursuant to Local Civil Rule 7.1(b)(3), a proposed order is attached.

For the above reasons and for good cause shown, the Parties respectfully request the Court stay the case.

Respectfully submitted this 24th day of January, 2025.

*s/ Samuel J. Fortier by permission given on
1/24/2025*

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*s/ Wade Withington by permission given on
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CERTIFICATE OF SERVICE

I certify that on January 24, 2025, the foregoing motion was served using the Pacer/ECF system, which will affect service on all parties.

/s/ Devon Lehman McCune

Devon Lehman McCune

Trial Attorney

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[PROPOSED] ORDER

The Court has received Joint Motion to Stay Case, ECF No. 16. For good cause shown, the motion is granted. Accordingly, the case is stayed. The parties shall file a Joint Status Report within sixty days of this Order.

So Ordered.

Dated: _____ 2025.

Sharon L. Gleason
United States District Judge